

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

December 1, 2015

3:30 P.M. SCHEDULED SESSION

3:32 P.M. MEETING COMMENCED

ROLL CALL: Berlin Boyd, William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Alan Crone, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jim Strickland and Chairman Myron Lowery.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Pastor Donnell Cobbins from St. Luke M.B. Church. Councilman Berlin Boyd presented Pastor Cobbins with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

MINUTES

Approval of the Minutes of the regular meeting of November 17, 2015 with the following motion:

MOTION: Ford
SECOND: Morrison
AYES: B. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery
W. Boyd and Halbert did not cast a vote

APPROVED

7. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 4708 BENJESTOWN ROAD, CONTAINING 4.78 ACRES IN THE CONSERVATION AGRICULTURE (CA) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 15-201cc

Applicant: Sheila and Ralph Templeman
David Bray (The Bray Firm) – Representative

Request: Rental of Agricultural Equipment

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

DROPPED

4. **RESOLUTION APPROVING A SUBDIVISION APPEAL LOCATED ON THE NORTHEAST CORNER OF WILLIAMSBURG LANE AND VILLAGE ROAD, CONTAINING .81 ACRE. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (Held from 8/18; 9/15; 10/6)**

Case No. S 15-06

Held until December 15, 2015

15. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SE CORNER OF BROOKS AND MCCORKLE, PARCEL ID 07700500001C, CONTAINING 1.70 ACRES IN THE COMMERCIAL MIXED USE (CMU-3) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 15-216

Held until December 15, 2015

16. **RESOLUTION APPROVING STREET/ALLEY CLOSURES FOR SAC 15-608, SAC 15-609 AND SAC 15-610, LOCATED AT THE INTERSECTION OF FRANKLIN AND FAXON EXTENDING NORTH 607', LOCATION BEGINS AT THE INTERSECTION OF FRANKLIN ST. AND EXTENDS 111.5' TO THE EAST AND LOCATED 271 FEET OF TUTWILER BETWEEN TILLMAN STREET AND GRACEWOOD STREET, CONTAINING 0.697 ACRE, 0.128 ACRE AND 0.155 ACRE IN THE UNIMPROVED RIGHT-OF-WAY (PAPER STREETS) IN A RU-1 DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SAC 15-608,
SAC 15-609 & SAC 15-610

Held until December 15, 2015

1. **PRESENTATION OF THE 2015 CITY COUNCIL HUMANITARIAN AWARD.**

MOTION: Conrad (on behalf of Chairman Myron Lowery)

SECOND: Collins

APPROVED, by unanimous voice vote

2. **RESOLUTION RECOGNIZING MASON TEMPLE CHURCH OF GOD IN CHRIST, INC., 70TH ANNIVERSARY.**

MOTION: Ford

SECOND: Morrison

APPROVED, by unanimous voice vote

56. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR JOHN W. STOKES, JR.**

MOTION: Crone

SECOND: Strickland

APPROVED, by unanimous voice vote

3. **NOTICE OF PUBLIC HEARING ON ORDINANCE NO. 5595, ADDING TITLE V, CHAPTER 40 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, CREATING A SPECIAL ASSESSMENT TO FUND THE MEMPHIS TOURISM IMPROVEMENT DISTRICT. THIS RESOLUTION IS SPONSORED BY FINANCE DIVISION.**

Chairman Lowery recognized the following person who spoke from the audience:

Ricky Wilkins, 66 Monroe Ave., Memphis, TN 38103

NO VOTE WAS REQUIRED

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 184 A.W. WILLIS AVENUE, ON THE NORTHEAST CORNER OF A.W. WILLIS AVENUE AND THIRD STREET, CONTAINING 0.428 ACRE IN AN AREA CURRENTLY GOVERNED BY A VACANT CONVENIENCE STORE IN THE MIXED USE (MU) ZONE IN THE UPTOWN DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (Held from 10/06; 10/20; 11/17).**

Case No. SUP 15-212

Chairman Lowery recognized the following person who spoke from the audience:

Sara Hall, 1218 Massey Cove, Memphis, TN 38120

Applicant: A.W. Willis Fuel Center, LLC
The Bray Firm – David Bray - Representative

Request: Establish a convenience store with gasoline sales

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Collins

SECOND: W. Boyd

AYES: Collins, Fullilove and Halbert

NAYS: B. Boyd, W. Boyd, Brown, Conrad, Crone, Ford, Hedgepeth, Morrison,
Strickland and Chairman Lowery

FAILED

6. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF RIDGEWAY ROAD AND NONCONNAH PARKWAY. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 02-303

Chairman Lowery recognized the following person who spoke from the audience:

Philip Campbell, 5960 Macinness Dr., Memphis, TN 38119

Eddie Settles, 5861 Vassar Dr., Memphis, TN 38119

MOTION: Collins – Move for discussion

SECOND: Ford

MAIN MOTION: Conrad – Hold for 2 weeks

SECOND: Crone

Chairman Lowery asked if there was any objection to holding this item for 2 weeks. Councilman Morrison objected. After further discussion Councilman Morrison withdrew his objection.

Held until December 15, 2015

8. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED +/-235 FEET SOUTH OF THE SOUTH LINE OF UNION AVENUE AT 177 IDLEWILD, IN A 38'X 29.5' AREA, IN THE RESIDENTIAL SINGLE-FAMILY-6 (R-6) DISTRICT AND RESIDENTIAL URBAN-1 (RU-1) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SAC 15-623

Chairman Lowery recognized the following persons who spoke from the audience:

Gordon Alexander, 179 S. Rembert St., Memphis, TN 38104
Mary Baker, 2037 Higbee Ave., Memphis, TN 38104
Ron Bell, 177 S. Idlewild, Memphis, TN 38104
Sam Goff, 143 Clark Pl., Memphis, TN 38104
Thomas Greene, 206 S. McLean, Memphis, TN 38104
D. Kay Price, 1574 Linden Ave., Memphis, TN 38104
Cary Schwartz, 127 S. Humes, Memphis, TN 38111
David (last name not legible), 224 Lemaster St., Memphis, TN 38104

Applicant: Belz Investco GP (PSO), Ronald and Margaret Bell
SR Consulting – Representative

Request: Thirty-eight foot (38') by twenty-nine and one-half foot (29.5') ROW vacation for the installation of a gate to prevent cut-through traffic on a residential portion of South Idlewild Street generated by the intense commercial development at the intersection of Union Avenue and South Idlewild Street

LUCB recommendation: REJECTION

OPD recommendation: APPROVAL, with conditions

MOTION: Collins
SECOND: Morrison

After discussion regarding the installation of a gate to prevent cut-through traffic, Josh Whitehead from the Office of Planning and Development made the following recommendation to the Council, which Chairman Lowery stated that without objection, this will be accepted as an amendment.

“The street closure becomes null and void if a left turn signal is installed on westbound Union at McLean and if the one-way, two-way scenario is installed on Idlewild.”

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery
Fullilove did not cast a vote

APPROVED, as amended

9. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF SUMMER AVENUE AND GRAHAM STREET, CONTAINING 1.29 ACRES IN THE RESIDENTIAL URBAN-3 (RU-3), GENERAL OFFICE (O-G) AND RESIDENTIAL SINGLE FAMILY-6 (R-6) DISTRICTS.**

THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (Held from 7/21) (This item was pulled from the Minutes of 8/18/15 on 9/1/15 and reconsidered on 11/17/15 to be placed back on the Agenda).

Case No. PD 15-307

Applicant: H/Residential LLC and H/Summerview LLC (Harry Skefos)
Brenda Solomito Basar – Representative

Request: Planned Development to allow a Commercial Shopping Center

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Crone – Eliminate Conditions C&G

Chairman Lowery asked if there was any objection. There was no objection. Also, Brenda Solomito Basar requested the following amendment: The curb cuts shall be depicted as the outline plan and delete C&G and insert that condition as illustrated on the outline plan. Chairman Lowery stated that without objection that will be done.

MAIN MOTION: Collins
SECOND: Strickland
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert
Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED, as amended

17. **ORDINANCE REZONING THE INTERSECTION OF SUMMER AVENUE AND GRAHAM STREET; EXTENDING EAST ALONG SUMMER AVENUE +/-292.07 FEET AND NORTH ALONG GRAHAM STREET +/-271.93 FEET AND APPLYING TO THE EAST SIDE OF GRAHAM STREET ONLY, CONTAINING 0.484 ACRE IN THE RESIDENTIAL URBAN-3 (RU-3), GENERAL OFFICE (O-G) AND RESIDENTIAL SINGLE FAMILY-6 (R-6) DISTRICTS, UP FOR T H I R D AND F I N A L READING. THIS ORDINANCE IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (Held from 7/21) (This item was pulled from the Minutes of 8/18/15 on 9/1/15 and was reconsidered on 11/17/15 to be placed back on the Agenda).**

Case No. RC 15-401

Ordinance No. 5590

Applicant: H/Residential LLC and H/Summerview LLC
Solomito Land Planning-Brenda Solomito Basar – Representative

Request: Delete a portion of the Graham Street Residential Corridor

LUCB and OPD recommendation: APPROVAL

MOTION: Collins
SECOND: Morrison
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

10. **RESOLUTION RELATIVE TO THE CLOSING OF SEVIER STREET, RIGHT-OF-WAY, LOCATED SOUTH OF THE INTERSECTION OF MIMOSA STREET AND TO WAIVE CERTAIN CONDITIONS OF SAC 14-609. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

MOTION: Collins
SECOND: B. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery
Conrad did not cast a vote

APPROVED

11. **RESOLUTION TO STRENGTHEN MWBE PROGRAM AND PARTICIPATION. THIS RESOLUTION IS SPONSORED BY COUNCILMAN ED FORD, JR.**

MOTION: Halbert
SECOND: Ford
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

12. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF BROAD AVENUE AND TILLMAN STREET, CONTAINING 1.40 ACRES IN THE R-6 DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 15-318

Applicant: MVS Real Estate, LLC
Brenda Solomito Basar – Representative

Request: To allow a PD for an animal hospital and animal related uses

LUCB and OPD recommendation; APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins

SECOND: W. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert,
Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

13. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF HACKS CROSS ROAD AND PLAYERS CLUB PARKWAY, CONTAINING 9.56 ACRES AND IS REGULATED BY THE APPROVED CONDITIONS OF THE FIELDSTONE PLANNED DEVELOPMENT (P.D. 05-337CC). THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. PD 15-326

Applicant: Gill Properties, LLC (Brown Gill)
Fisher & Arnold Engs. (David Baker) – Representative

Request: Amend Parcel D to include Self-storage units (mini-warehouse)

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins
SECOND: W. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Fullilove, Halbert,
Hedgepeth, Morrison, Strickland and Chairman Lowery
Ford did not cast a vote

APPROVED

14. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 2047 BERRYHILL RD., CORDOVA TN., CONTAINING .22 ACRE IN THE CONSERVATION AGRICULTURE (CA) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT.**

Case No. SUP 15-222

Applicant: Tower Ventures
Lou Katzerman – Representative

Request: To allow a 160-foot height flush mounted CMCS tower

LUCB and OPD recommendation; APPROVAL

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins
SECOND: B. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Fullilove, Halbert,
Hedgepeth, Morrison, Strickland and Chairman Lowery
Ford did not cast a vote

APPROVED

CONSENT AGENDA – Items 18-21 may be acted upon by one motion: SEE PAGE 3552 FOR ROLL CALL

18. **ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-44 “PARKING METERS”, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, UP FOR F I R S T READING. ORDINANCE NO. 5608 IS SPONSORED BY COUNCIL CHAIRMAN LOWERY.**

APPROVED, on First reading

19. **ORDINANCE TO AMEND TITLE 6, BUSINESS LICENSES AND REGULATIONS, CHAPTER 6-94, SMALL BUSINESS ENTERPRISE OPPORTUNITY PROGRAM, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, UP FOR S E C O N D READING. ORDINANCE NO. 5607 IS SPONSORED BY COUNCILMAN EDMUND FORD, JR.**

APPROVED, on Second reading

20. **RESOLUTION ACCEPTING THE CORDOVA CLUB PD, PH. XIII, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 88-337cc
Contract No. (CR-4089)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located north of Cordova Club Drive, west of Graystone Lane. The standard improvement contract was approved on May 21, 1996. Resolution also authorizes the release of the Letter of Credit in the amount of \$127,400.00, subject to County approval.

City Engineer recommends approval

APPROVED

21. **RESOLUTION APPROVING FINAL PLAT OF THE POWER CENTER SUBDIVISION.**

Case No. S 15-011
Contract No. CR-5235

Resolution approves the final plat located on the south side of Winchester Road, east of Mendenhall Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Morrison
SECOND: B. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Fullilove, Halbert, Morrison,
Strickland and Chairman Lowery
Crone abstained
Ford and Hedgepeth did not cast a vote

APPROVED

FISCAL CONSENT – Item 22 may be acted upon by one motion:

22. **RESOLUTION ALLOWING THE CITY OF MEMPHIS THROUGH THE DIVISION OF POLICE SERVICES TO ACCEPT TWO (2) DELTA 500ES BUMPER PULL HORSE TRAILERS, VALUED AT \$12,672.00 FROM THE SHELBY COUNTY OFFICE OF PREPAREDNESS, THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

APPROVED

ROLL CALL FISCAL CONSENT

MOTION: W. Boyd
SECOND: Collins
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert,
Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

MLGW FISCAL CONSENT – Items 23, 25-32 & 35-41 may be acted upon by one motion:

23. **RESOLUTION AWARDED CONTRACT NO. 11770, TRASH REMOVAL/SOLID WASTE SERVICES, TO WASTE CONNECTIONS OF TENNESSEE, INCORPORATED, IN THE FUNDED AMOUNT OF \$141,169.12.**

APPROVED

24. **RESOLUTION APPROVING CHANGE ORDER NO. 3, TO CONTRACT NO. 11640, LINE CLEARANCE, WITH ABC PROFESSIONAL TREE SERVICES, IN THE FUNDED AMOUNT OF \$908,950.67. (THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT VALUE THROUGH THE CURRENT CONTRACT TERM. THIS INCREASE IS NEEDED TO REPLENISH THE CONTRACT FUNDS USED FOR**

EMERGENCY STORM RESTORATION EFFORTS RESULTING FROM THE JULY AND AUGUST, 2015 STORMS.)

Back to Committee

25. **RESOLUTION APPROVING CHANGE NO. 11 TO CONTRACT NO. 10336, EMS/SCADA SYSTEM, WITH GENERAL ELECTRIC ENERGY MANAGEMENT SERVICES, IN THE FUNDED AMOUNT OF \$100,000.00. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT FOR SIX MONTHS TO ALLOW TIME TO COMPLETE WORK ON THE NEW OSI SCADA SYSTEM COVERING THE PERIOD JANUARY 1, 2016 TO JUNE 30, 2016. THIS EXTENSION ALLOWS FOR CONTINGENCY FUNDS IN THE AMOUNT OF \$23,252.00 FOR POTENTIALLY, UNKNOWN OPERATION AND MAINTENANCE COSTS ASSOCIATED WITH THE GE EMS/SCADA SYSTEM. IN ADDITION, THIS CHANGE INCLUDES COSTS FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES DURING THE SIX MONTH EXTENSION PERIOD IN THE AMOUNT OF \$76,748.00.)**

APPROVED

26. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11729, PROFESSIONAL ENGINEERING SERVICES, WITH MID-SOUTH ENGINEERING CONSULTANTS, LLC, IN THE FUNDED AMOUNT OF \$650,000.00. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING JANUARY 23, 2016 THROUGH JANUARY 22, 2017, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

27. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11727, EXTERNAL CORROSION DIRECT ASSESSMENT (ECDA) INSPECTION OF NATURAL GAS PIPELINE, WITH JW'S PIPELINE INTEGRITY SERVICES, LLC, IN THE FUNDED AMOUNT OF \$189,700.00. (THIS CHANGE IS TO ALIGN THE CONTRACT TERM WITH THE CALENDAR YEAR AND RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JULY 9, 2016 THROUGH DECEMBER 31, 2016, WITH NO INCREASE FROM THE PREVIOUS TERM. ALL FUTURE RENEWALS WILL BE ALIGNED WITH THE CALENDAR YEAR.)**

APPROVED

28. **RESOLUTION AWARDING A CONTRACT TO GUTHRIE SALES AND SERVICE COMPANY, FOR AERATOR COKE ROCK, IN THE AMOUNT OF \$186,240.00.**

APPROVED

29. **RESOLUTION AWARDING CONTRACT NO. 11747, ABANDONMENT OF WATER PRODUCTION WELLS, TO LAYNE CHRISTENSEN COMPANY, IN THE FUNDED AMOUNT OF \$143,920.00.**

APPROVED

30. **RESOLUTION APPROVING THE RENEWAL OF COOPERATIVE AGREEMENT NO. 5447, INVESTIGATION OF WATER RESOURCES, FOR THE PERIOD OF JANUARY 1, 2016 TO DECEMBER 31, 2016, STIPULATING THAT A SUM OF \$57,000 WILL BE FURNISHED BY THE DIVISION, AND A LIKE SUM WILL BE FURNISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY FOR CONTINUATION OF THE GROUND WATER DATA COLLECTION PROGRAM IN THE MEMPHIS AREA.**

APPROVED

31. **RESOLUTION AWARDING A TWELVE MONTH CONTRACT TO BRIGHTER DAYS AND NITES, INC., FOR VARIOUS WIRE, IN THE AMOUNT OF \$279,902.38.**

APPROVED

32. **RESOLUTION REQUESTING APPROVAL OF WELLS CAPITAL MANAGEMENT INC., AN EMERGING MARKETS EQUITY INCOME MANAGER, TO MANAGE APPROXIMATELY \$25,000,000 FOR THE BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

APPROVED

33. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11500, TEMPORARY SERVICE FOR CLERICAL SUPPORT, WITH KELLY SERVICES, IN THE FUNDED AMOUNT OF \$770,389.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM COVERING THE PERIOD JANUARY 4, 2016 THROUGH DECEMBER 31, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS FOR UNEXPECTED EMERGENCIES IN THE AMOUNT OF \$103,896.00, FOR A TOTAL FUNDED AMOUNT OF \$770,389.00.)**

Back to Committee

34. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11499, TEMPORARY SERVICE FOR GENERAL LABOR, WITH PRIDESTAFF, IN THE FUNDED AMOUNT OF \$983,092.60. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM COVERING THE PERIOD JANUARY 4, 2016 THROUGH DECEMBER 31, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, MLGW IS REQUESTING THE APPROVAL OF CONTINGENCY FUNDS IN THE AMOUNT OF \$52,665.60 FOR UNEXPECTED VACANCIES FOR A TOTAL FUNDED AMOUNT OF \$983,092.60.)**

Back to Committee

35. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11670, WORKER'S COMPENSATION BROKERING, WITH WILLIS OF TENNESSEE, INCORPORATED, IN THE FUNDED AMOUNT OF \$4,367.00. (THE INITIAL TERM OF THE CONTRACT REFLECTED AN AGREED UPON RATE OF \$125,000.00 (\$25,000.00 ANNUALLY) FOR BROKER'S FEES OVER A 60-MONTH PERIOD. IN ADDITION, THIS AWARD REFLECTED AN ADDITIONAL AMOUNT TO COVER AN ESTIMATED PREMIUM OF \$370,000.00 FOR WORKERS' COMPENSATION STOP LOSS COVERAGE FOR 2015 ONLY. THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT IN THE FUNDED AMOUNT OF \$4,367.00. INVOICE NO. 1223398.)**

APPROVED

36. **RESOLUTION AWARDING A CONTRACT TO LOGICALIS, INC., FOR COMPUTER HARDWARE AND SOFTWARE, IN THE AMOUNT OF \$1,323,272.21.**

APPROVED

37. **RESOLUTION AWARDING A CONTRACT TO VENTUREFORTH, INC., FOR SOFTWARE LICENSES FOR MOBILE CREW TIME REPORTING AND MOBILE EAM REPORTING, IN THE AMOUNT OF \$274,951.00.**

APPROVED

38. **RESOLUTION AWARDING A CONTRACT TO THOMAS CONSULTANTS, INC., FOR NETBACKUP ENTERPRISE LICENSES, IN THE AMOUNT OF \$223,407.99.**

APPROVED

39. **RESOLUTION AWARDING A CONTRACT TO PINNACLE NETWORKX, LLC, FOR A TAPE LIBRARY EXPANSION, IN THE AMOUNT OF \$264,703.60.**

APPROVED

40. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11752, SOFTWARE LICENSE AND SERVICES AGREEMENT, WITH HANSEN TECHNOLOGIES, IN THE FUNDED AMOUNT OF \$46,352.06. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE, LICENSE, AND SUPPORT SERVICES FOR THE PERIOD COVERING JANUARY 1, 2016 THROUGH DECEMBER 31, 2016. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THIS SOFTWARE, WHICH CAN ONLY BE PROVIDED BY HANSEN TECHNOLOGIES.)**

APPROVED

41. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10908, MOBILE DATA, WITH ABB ENTERPRISE SOFTWARE, INCORPORATED (FORMERLY VENTYX, INCORPORATED), IN THE FUNDED AMOUNT OF \$159,679.63. (THIS CHANGE IS TO RENEW ANNUAL SOFTWARE MAINTENANCE, LICENSE, AND SUPPORT SERVICES FOR THE MOBILE DISPATCHING SYSTEM, MOBILE MAPPING, AND STREET LEVEL ROUTING THROUGH THE CUSTOMER INFORMATION SYSTEM (CIS), COVERING THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR. IN ADDITION, THIS CHANGE IS TO ALLOW A CORPORATE NAME CHANGE FROM VENTYX, INCORPORATED TO ABB ENTERPRISE SOFTWARE, INCORPORATED.)**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: B. Boyd – Send Item #24 back to Committee

Chairman Lowery asked if there was any objection. There was no objection.

MOTION: Halbert – Send Items #33 and #34 back to Committee

Chairman Lowery asked if there was any objection. There was no objection.

MAIN MOTION: B. Boyd
SECOND: Collins
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery
Hedgepeth did not cast a vote

APPROVED, as amended. Items #24, #33 and #34 will be sent back to Committee

42. **APPOINTMENTS**

MINORITY BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION

Appointments

Bernal E. Smith, II
Sylvester Tate
Sandra K. Walls

MOTION: Crone
SECOND: B. Boyd
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery

Hedgepeth did not cast a vote

APPROVED

55. **APPOINTMENT**

MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY

Same night minutes were requested for this item.

Appointment

Jack Sammons

MOTION: Crone

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

43. **RESOLUTION APPROVING THE CONVEYANCE, LEASE, DEVELOPMENTAL, OPERATIONAL AND FINANCING ARRANGEMENTS FOR THE CENTRAL STATION REDEVELOPMENT PROJECT AND TRANSFERRING AND APPROPRIATING \$600,000.00 IN MATCHING FUNDS FOR PUBLIC IMPROVEMENTS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.** (Held from 11/17)

Same night minutes were requested for this item.

MOTION: Chairman Lowery

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery

APPROVED

44. **RESOLUTION AWARDDING CONTRACT NO. 11776, SMART METER SOLUTION FULL DEPLOYMENT, TO ELSTER SOLUTIONS, LLC IN THE FUNDED AMOUNT OF \$240,000,000.00, CHARGEABLE TO THE 2015 BUDGET AND THE SUBSEQUENT BUDGET YEARS AS APPROVED. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

Chairman Lowery recognized the following persons who spoke from the audience:

Cathie Auxier, 10840 Monterey Forest Cove, Eads, TN 38028

John R. Burwell, III, 2763 Windsor Parkway, Memphis, TN 38127
 Donna Bohannon, 5343 Sea Isle Rd., Memphis, TN 38119
 Burton B. Bridges, 340 N. McLean, Apt. #1, Memphis, TN 38112
 Laura Campbell, 50 N. Front St., Memphis, TN 38103
 Jimmie Franklin, 487 Highland St., Memphis, TN 38122
 Chester Freeman, 3125 S. Mendenhall, Apt. #421, Memphis, TN 38115
 Cory Harlquist, 10150 Memphis Arlington Rd., Arlington, TN 38002
 Bill Hawkins, 4000 Clearpool, Memphis, TN 38118
 Fred Johnson, 2105 Latham, Memphis, TN 38106
 Dennis Lynch, 347 N. McLean, Memphis, TN 38112
 Michael W. Moffatt, 126 Harbor Common Dr., Memphis, TN 38103
 Bill Moss, 12500 Coburn Rd., Eads, TN 38028
 Jim Schreiber, 9060 78th Ave., Seminole, FL 33777
 Dr. Kenneth T. Whalum, Jr., 3084 Southern Ave., Memphis, TN 38111
 Minister Suhkara A. Yahweh, 870 E. McLemore Ave., Memphis, TN 38106

MOTION: B. Boyd
 SECOND: W. Boyd
 AYES: B. Boyd, W. Boyd, Crone, Ford, Hedgepeth, Morrison, Strickland and Chairman Lowery
 NAYS: Brown, Fullilove and Halbert
 Collins abstained
 Conrad recused

APPROVED

MOTION: Ford – Move to recess
 SECOND: Morrison

APPROVED, by unanimous voice vote

MEETING CALLED TO ORDER AS A RATE MAKING BOARD BY THE SERGEANT-AT-ARMS

46. RESOLUTION REQUESTING THE CITY COUNCIL TO CONVENE AS A RATE MAKING BOARD TO APPROVE NEUTRAL GAS DIVISION RATE CHANGES, WATER DIVISION RATE INCREASE AND REVENUE NEUTRAL ELECTRIC DIVISION RATE CHANGES.

MOTION: B. Boyd
 SECOND: Ford
 AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Halbert,
 Morrison, Strickland and Chairman Lowery
 Hedgepeth did not cast a vote

APPROVED

47. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROVE THE REVENUE NEUTRAL GAS DIVISION RATE CHANGES. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

MOTION: B. Boyd
SECOND: Morrison
AYES: B. Boyd, W. Boyd, Brown, Collins, Crone, Ford, Fullilove, Morrison and
Chairman Lowery
NAYS: Halbert and Strickland
Conrad recused
Hedgepeth did not cast a vote

APPROVED

48. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROVE THE WATER DIVISION RATE INCREASE. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

Chairman Lowery recognized the following person who spoke from the audience:

Minister Suhkara A. Yahweh, 870 E. McLemore Ave., Memphis, TN 38106

Jerry Collins stated that they had an alternate resolution, which we might designate as Item 48A, which off-sets the water rate increase by implementing an electric rate decrease on a temporary basis for a 12 month period. (This resolution was passed in a Special Called MLGW Meeting on November 30, 2015).

MOTION: Crone – Remove the word temporary from 48A (See tickler file for resolution)
SECOND: Halbert

Chairman Lowery asked if there was any objection. There was no objection.

MAIN MOTION: B. Boyd
SECOND: Strickland
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Halbert, Morrison, Strickland and
Chairman Lowery
NAYS: Fullilove and Brown
Conrad recused
Hedgepeth did not cast a vote

APPROVED, as amended

49. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROVE THE REVENUE NEUTRAL ELECTRIC DIVISION RATE CHANGES. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

MOTION: Crone – Amend the resolution to be consistent with the rates established with 48A

Chairman Lowery stated that without objection, the language will be included in the resolution.

MAIN MOTION: B. Boyd
SECOND: Strickland
AYES: B. Boyd, W. Boyd, Crone, Ford, Morrison, Strickland and Chairman Lowery
NAYS: Brown, Collins and Halbert
Conrad recused
Fullilove and Hedgepeth did not cast a vote

APPROVED, as amended

Chairman Lowery stated that without objection we are adjourned as a rate making board.

**MEETING CALLED BACK TO ORDER AS THE CITY COUNCIL BY THE
SERGEANT-AT-ARMS**

45. **RESOLUTION TO APPROVE THE 2016 MEMPHIS, LIGHT, GAS AND WATER DIVISION BUDGET. THIS RESOLUTION IS SPONSORED BY MLGW DIVISION.**

Chairman Lowery recognized the following persons who spoke from the audience:

Cathie Auxier, 10840 Monterey Forest Cove, Eads, TN 38028
Donna K. Bohannon, 5343 Sea Isle Rd., Memphis, TN 38119
John R. Burwell, III, 2763 Windsor Parkway, Memphis, TN 38127
Bill Hawkins, 4000 Clearpool Circle, Memphis, TN 38118

MOTION: B. Boyd
SECOND: Morrison
AYES: B. Boyd, W. Boyd, Collins, Crone, Ford, Morrison, Strickland and Chairman Lowery
NAYS: Brown and Fullilove
Conrad recused
Halbert and Hedgepeth did not cast a vote

APPROVED

50. **RESOLUTION SEEKING APPROVAL TO APPROPRIATE AND TRANSFER \$90,800.00 IN CONTRACT CONSTRUCTION FROM PK70114, PARKS COVER LINE TO PK07092, PARK REHAB AND MAINTENANCE, FUNDED BY G.O. BONDS GENERAL, TO REPAIR THE HISTORIC FENCING IN MEMPHIS PARK AND TO REPLACE THE JUNIPER PLANTINGS ALONG THE BLUFF WALK. THIS RESOLUTION IS COMMITTEE SPONSORED BY PARK SERVICES.**

MOTION: W. Boyd

SECOND: Ford

AYES: B. Boyd, W. Boyd, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Strickland and Chairman Lowery

Brown, Hedgepeth and Morrison did not cast a vote

APPROVED

51. **RESOLUTION SEEKING APPROVAL TO TRANSFER AND APPROPRIATE FUNDS IN CONTRACT CONSTRUCTION FROM PK07114, PARKS COVER LINER TO CONTRACT CONSTRUCTION IN PK07092, CITY PARK REHAB AND MAINTENANCE, FUNDED BY G.O. BONDS GENERAL, IN THE AMOUNT OF \$2,283,710.00. THIS RESOLUTION IS SPONSORED BY PARK SERVICES.**

MOTION: W. Boyd

SECOND: Ford

AYES: B. Boyd, W. Boyd, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery

Brown and Hedgepeth did not cast a vote

APPROVED

52. **RESOLUTION ACCEPTING AND APPROPRIATING GRANT FUNDING IN THE AMOUNT OF \$51,900.00 FROM THE DEPARTMENT OF STATE, TENNESSEE STATE LIBRARY AND ARCHIVES FOR LIBRARY BOOKS AND MATERIALS FROM MEMPHIS PUBLIC LIBRARY & INFORMATION CENTER. THIS RESOLUTION IS SPONSORED BY PARK SERVICES.**

MOTION: W. Boyd

SECOND: B. Boyd

AYES: B. Boyd, W. Boyd, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery

Brown and Hedgepeth did not cast a vote

APPROVED

53. **RESOLUTION ALLOWING THE CITY OF MEMPHIS THROUGH THE DIVISION OF POLICE SERVICES TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$214,465.00 FOR FY15 PORT SECURITY GRANT PROGRAM (PSGP) FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS). THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

MOTION: Conrad
SECOND: B. Boyd
AYES: B. Boyd, W. Boyd, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery
Brown and Hedgepeth did not cast a vote

APPROVED

54. **RESOLUTION APPROVING A LEASE AGREEMENT WITH DELINE FARMS PARTNERSHIP AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON OCTOBER 21, 2015. THIS RESOLUTION IS SPONSORED BY PORT COMMISSION.**

Contract No. CR-5234

MOTION: W. Boyd
SECOND: Ford
AYES: B. Boyd, W. Boyd, Collins, Conrad, Crone, Ford, Fullilove, Halbert, Morrison, Strickland and Chairman Lowery
Brown and Hedgepeth did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 1, 2015 for Items 43 and 55 only, with the following motion:

MOTION: Fullilove
SECOND: Ford
AYES: B. Boyd, W. Boyd, Brown, Collins, Conrad, Crone, Ford, Fullilove, Morrison, Strickland and Chairman Lowery
Halbert and Hedgepeth did not cast a vote

APPROVED, set up as Special Item #1

ADJOURNED MEETING AT 9:21 P.M.

.....
Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records